

**PIONEER HI-BRED INTERNATIONAL, INC.
CORPORATE INTELLECTUAL PROPERTY DEPARTMENT**

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OFFICIAL

TO: Assistant Commissioner of Patents
FROM: Louise Foutch
RE: Our Ref. No. 1215 – Serial No. 09/832,320
DATE: 07-30-02 FAX NUMBER: 703-872-9306
NUMBER OF PAGE(S) FOLLOWING THIS SHEET: 2

COMMENTS: Attached please find the following document to be filed:

Response to Restriction Requirement (2 pages)

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I hereby certify that this Response to Restriction Requirement was transmitted via facsimile transmission to the Assistant Commissioner for Patents, via facsimile number (703) 872-9306, on this 30th day of July, 2002.

Louise A. Foutch
Louise A. Foutch
7/30/02
Date

GROUP 1600

OFFICIAL

Docket No. 1215

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Edmund Crane and Virginia Crane Date: July 30, 2002
Serial No.: 09/832,320 Group Art Unit: 1638
Filed: April 10, 2001 Examiner: Ibrahim, Medina A.
For: MAIZE PATHOGENESIS-RELATED POLYNUCLEOTIDE AND METHODS OF USE

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action mailed July 3, 2002, in which the Examiner has required restriction to one of the following inventions:

- I. Claims 1-8 and 10-13, drawn to an isolated nucleic acid, a recombinant expression cassette, transgenic plant containing it, and a method of modulating the level of PR1-C10 in said plant, classified in class 800, subclass 278, for example.
- II. Claim 9, drawn to an isolated protein, classified in class 530, subclass 377, for example.

Applicant hereby provisionally elects without traverse to prosecute the claims of Group I (Claims 1-8 and 10-13), drawn to an isolated nucleic acid, a recombinant expression cassette, transgenic plant containing it, a method of modulating the level of PR1-C10 in said plant, and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

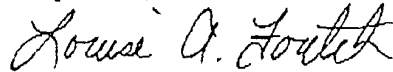
Serial No.: 09/832,320

Group Art Unit: 1638

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned attorney so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required beyond those, which may be otherwise provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore is hereby authorized to be charged to Deposit Account No. 16-1852.

Respectfully submitted,



Louise A. Foutch

Registration No. 37,133

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